

# **EXHIBIT 25**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804  
Case No. 17-md-2804

This document relates to: Judge Dan  
Aaron Polster

The County of Cuyahoga v. Purdue Pharma, L.P., et al.

Case No. 17-OP-45005

City of Cleveland, Ohio vs. Purdue Pharma, L.P., et al.

Case No. 18-OP-45132

The County of Summit, Ohio,  
et al. v. Purdue Pharma, L.P.,  
et al.

Case No. 18-OP-45090

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Videotaped Deposition of Joseph Rannazzisi  
Washington, D.C.

April 26, 2019

8:37 a.m.

Reported by: Bonnie L. Russo  
Job No. 3301876

<p>1 understand the scope of my question.      2 Does that make sense?      3 A. Yes, sir.      4 Q. Now is there anything that would      5 prevent you from testifying completely and      6 truthfully today?      7 A. No, sir.      8 MR. EPPICH: Let me mark as Exhibit      9 1.      10 (Deposition Exhibit 1 was marked for      11 identification.)      12 MR. EPPICH: Exhibit 1 is the second      13 amended notice of videotaped deposition of      14 Joseph Rannazzisi.      15 MS. SINGER: Excuse me one second,      16 Counsel. Do you have copies for the plaintiffs      17 too?      18 BY MR. EPPICH:      19 Q. Sir, have you seen Exhibit No. 1      20 before?      21 A. No, sir.      22 Q. You haven't seen it?      23 You didn't review it in preparation      24 for today's deposition?      25 A. No.</p>	<p style="text-align: right;">Page 18</p> <p>1 of Diversion Control?      2 MR. BENNETT: Objection. Calls for      3 speculation.      4 You can answer.      5 MS. SINGER: Excuse me one second.      6 Can we ask the people on the phone      7 to mute, please.      8 MR. UTTER: Go ahead. You can      9 answer.      10 THE WITNESS: Yes. Yes. There was      11 an opioid crisis during that time period.      12 BY MR. EPPICH:      13 Q. And was the opioid crisis getting      14 worse every year you were the head of the      15 Office of Diversion Control?      16 MR. BENNETT: Same objection.      17 THE WITNESS: Overdoses -- overdose      18 deaths increased, yes.      19 BY MR. EPPICH:      20 Q. As head of the Office of Diversion      21 Control, you were responsible for oversight and      22 control of all regulatory compliance,      23 inspections, and civil and criminal      24 investigations of approximately 1.6 million DEA      25 registrants; isn't that correct?</p>
<p>1 Q. If I could turn with me to the      2 letter that is Exhibit A, four or five pages      3 in. Now, this letter is prepared by the U.S.      4 Department of Justice.      5 Have you seen this letter before?      6 A. Yes, I have.      7 Q. And you understand Exhibit A to be      8 a -- a letter from the DEA authorizing your      9 testimony on certain subjects today?      10 A. Yes.      11 Q. You were the head of DEA's Office of      12 Diversion Control from 2005 to 2015; is that      13 right?      14 A. Approximately July of 2005 to '15,      15 yes.      16 Q. July of 2005 to what month in 2015?      17 A. October. October 31st, 2015.      18 Q. Halloween. One of my favorite days.      19 A. Uh-huh.      20 Q. Now, between 2005 and 2015, you were      21 the senior-most law enforcement official at the      22 DEA responsible for pharmaceutical diversion?      23 A. Yes, sir.      24 Q. Was -- was there an opioid crisis      25 the entire time you were the head of the Office</p>	<p style="text-align: right;">Page 19</p> <p>1 A. Yes.      2 Q. And you provided leadership to a      3 team of 300 personnel?      4 A. Direct -- direct report,      5 approximately -- you know, in headquarters,      6 approximately 300, yes.      7 Q. And you controlled and operating      8 budget of approximately \$350 million, correct?      9 A. Yes.      10 Q. Now, Mr. Rannazzisi, every entity      11 that is involved with getting opioids to      12 patients has to be registered with the DEA,      13 correct?      14 A. Could you repeat that question.      15 Q. Every entity that is involved with      16 getting opioids to patients has to be      17 registered with the DEA.      18 A. No. That's not correct.      19 Q. Which entities do not have to be      20 registered?      21 A. Nurses, pharmacists. They have      22 no -- they're not registered.      23 Q. But manufacturers have to be      24 registered?      25 A. Yes.</p>

<p style="text-align: right;">Page 22</p> <p>1 Q. Distributors have to be registered?</p> <p>2 A. Yes.</p> <p>3 Q. Pharmacies have to be registered?</p> <p>4 A. Yes.</p> <p>5 Q. And doctors have to be registered?</p> <p>6 A. Yes.</p> <p>7 Q. Now, none of those individuals or entities can lawfully handle opioids without</p> <p>8 DEA registration.</p> <p>9 A. Yes.</p> <p>10 Q. Now, DEA can, when it determines it is legally appropriate, suspend or revoke a DEA registration.</p> <p>11 A. Yes.</p> <p>12 Q. For example, that's a way the DEA has to cut off a diverting registrant?</p> <p>13 A. Repeat that question again, please.</p> <p>14 Q. DEA's authority to suspend or revoke a DEA registration is a way for DEA to cut off a diverting registrant; isn't that correct?</p> <p>15 A. That authority, we could stop a registrant from conducting transactions with controlled substances, yes.</p> <p>16 Q. Yes.</p> <p>17 A. You could cut them off, correct?</p>	<p style="text-align: right;">Page 24</p> <p>1 data.</p> <p>2 BY MR. EPPICH:</p> <p>3 Q. And using ARCOS, DEA monitors the flow of DEA-controlled substances from their point of manufacture through commercial distribution channels to point of sale or distribution to the dispensing retail level?</p> <p>4 MS. SINGER: Objection. Foundation.</p> <p>5 MR. BENNETT: Objection. Vague.</p> <p>6 THE WITNESS: DEA can use that system to monitor transactions downstream.</p> <p>7 BY MR. EPPICH:</p> <p>8 Q. And that's downstream from the manufacturers all the way to the retail level, correct?</p> <p>9 A. Yes. I believe so.</p> <p>10 SPECIAL MASTER COHEN: Just a minute, please.</p> <p>11 We're still hearing folks on the phone. If you are on the phone, please mute yourself.</p> <p>12 BY MR. EPPICH:</p> <p>13 Q. So, Mr. Rannazzisi, using ARCOS, DEA can see the number of opioids sold by manufacturers to distributors?</p>
<p style="text-align: right;">Page 23</p> <p>1 A. Yeah. Stopping transactions, yes.</p> <p>2 Cutting them off.</p> <p>3 Q. In fact, it's -- it's DEA's responsibility to do its best to ensure that anyone who is registered to DEA or by DEA is acting appropriately.</p> <p>4 MS. SINGER: Objection. Vague.</p> <p>5 MR. BENNETT: Join that objection.</p> <p>6 THE WITNESS: It's DEA's responsibility to ensure that the registrant population is complying with the code of federal regulations 21 C.F.R. and also 21 USC, United States code.</p> <p>7 BY MR. EPPICH:</p> <p>8 Q. You're familiar with the ARCOS database?</p> <p>9 A. Yes, I am.</p> <p>10 Q. Manufacturers and distributors are required to report data to ARCOS on every single controlled substance transaction?</p> <p>11 A. Yes.</p> <p>12 Q. DEA can then make use of that data, can't it?</p> <p>13 MR. BENNETT: Objection. Vague.</p> <p>14 THE WITNESS: DEA does use that</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Yes.</p> <p>2 Q. And using ARCOS, DEA can see the number of opioids distributed by distributors to pharmacies, hospitals and doctors?</p> <p>3 A. Yes.</p> <p>4 Q. Registrants did not have access to ARCOS data during your -- the time you led the Office of Diversion Control, correct?</p> <p>5 A. They had access to their own data that they submitted to ARCOS. But no, not other.</p> <p>6 Q. So registered --</p> <p>7 A. From the ARCOS.</p> <p>8 Q. Pardon me.</p> <p>9 Registrants had no access to the ARCOS database, correct?</p> <p>10 A. Except for their own entries, yes.</p> <p>11 Q. Their own entries that's they submitted?</p> <p>12 A. Yes, that they submitted.</p> <p>13 Q. But they couldn't access those entries through the ARCOS database, could they?</p> <p>14 A. I'm not sure about that.</p> <p>15 Q. There was no portal that you were aware of that a registrant could log into to</p>

<p style="text-align: right;">Page 42</p> <p>1 testimony.</p> <p>2 MR. UTTER: Same objection.</p> <p>3 Go ahead.</p> <p>4 THE WITNESS: It was years later</p> <p>5 before we heard that, that they were confused.</p> <p>6 Years later.</p> <p>7 BY MR. EPPICH:</p> <p>8 Q. When did DEA hear that the</p> <p>9 distributors were confused?</p> <p>10 A. Had to be sometime around 2000 --</p> <p>11 the end of 2010 or early 2011.</p> <p>12 Q. And in response to that knowledge,</p> <p>13 did you provide guidance to distributors?</p> <p>14 A. If I remember correctly, there was</p> <p>15 meetings with individual distributors and also</p> <p>16 with HDMA.</p> <p>17 Q. But isn't it true that you</p> <p>18 affirmatively stated that it was DEA's policy</p> <p>19 not to approve any suspicious order monitoring</p> <p>20 programs?</p> <p>21 A. That was the position of the agency.</p> <p>22 And yes, that was stated in at least two of my</p> <p>23 letters to industry.</p> <p>24 Q. And it was DEA's policy not to tell</p> <p>25 registrants that an order is or is not</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. During your time as the head of</p> <p>2 Office of Diversion Control, it was DEA's</p> <p>3 policy not to tell a registrant if they should</p> <p>4 stop sales to a customer, correct?</p> <p>5 MS. SINGER: Same objection.</p> <p>6 THE WITNESS: There were due process</p> <p>7 concerns. And after consultation with</p> <p>8 counsel's office, we decided that that was not</p> <p>9 appropriate because of the due process</p> <p>10 concerns.</p> <p>11 BY MR. EPPICH:</p> <p>12 Q. So if a distributor came to you in</p> <p>13 2007 or '8 or '9 or '10 and said, "We -- we</p> <p>14 can't tell if this order is legitimate or</p> <p>15 suspicious," DEA would refuse to answer?</p> <p>16 MR. BENNETT: Objection. Compound.</p> <p>17 MR. UTTER: Object to the incomplete</p> <p>18 hypothetical.</p> <p>19 You can go ahead and answer if you</p> <p>20 understand all the elements of the</p> <p>21 hypothetical.</p> <p>22 THE WITNESS: Yeah. I'm trying to.</p> <p>23 Could you repeat that question,</p> <p>24 please.</p> <p>25 BY MR. EPPICH:</p>
<p style="text-align: right;">Page 43</p> <p>1 suspicious, correct?</p> <p>2 A. Well, that's a business decision</p> <p>3 that only the -- the distributor could make.</p> <p>4 They're the only ones who know their</p> <p>5 customer. And they know what their customers</p> <p>6 are doing. And they know the -- the population</p> <p>7 around the customer's business. They know what</p> <p>8 is in the area that could warrant an increase</p> <p>9 or not.</p> <p>10 So DEA couldn't make that decision.</p> <p>11 It had to come as a business decision from the</p> <p>12 distributor.</p> <p>13 Q. So it was DEA's policy not to tell</p> <p>14 registrants that an order is suspicious?</p> <p>15 MS. SINGER: Objection.</p> <p>16 MR. BENNETT: Objection. Asked and</p> <p>17 answered.</p> <p>18 MS. SINGER: Objection. Scope.</p> <p>19 Calls for this witness's opinion on DEA policy.</p> <p>20 MR. UTTER: Go ahead.</p> <p>21 THE WITNESS: It was a business</p> <p>22 decision that would be made by the distributor</p> <p>23 whether an order is suspicious. And DEA made</p> <p>24 that very clear to the distributors.</p> <p>25 BY MR. EPPICH:</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. Sure.</p> <p>2 If a distributor came to you while</p> <p>3 you were the head of the Office of Diversion</p> <p>4 Control and said, "We cannot tell if this order</p> <p>5 is legitimate or suspicious, the DEA would</p> <p>6 refuse to answer the distributor's question"?</p> <p>7 MR. UTTER: Same objection.</p> <p>8 Go ahead.</p> <p>9 MS. SINGER: Objection.</p> <p>10 THE WITNESS: Yeah.</p> <p>11 MS. SINGER: Calls for speculation.</p> <p>12 THE WITNESS: I mean I'd have to</p> <p>13 have more information than that.</p> <p>14 BY MR. EPPICH:</p> <p>15 Q. But as a general policy --</p> <p>16 A. I can't answer.</p> <p>17 Q. -- it would be DEA's -- it would be</p> <p>18 DEA's response to refuse to answer?</p> <p>19 A. It's DEA's policy that they do not</p> <p>20 advise when to ship or when to file a</p> <p>21 suspicious orders. That's a business decision</p> <p>22 that, under the regulations, is maintained by</p> <p>23 the --</p> <p>24 Q. This was the --</p> <p>25 A. -- distributor.</p>

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF OHIO  
3                   EASTERN DIVISION

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5                   IN RE: NATIONAL PRESCRIPTION               MDL No. 2804  
6                   OPIATE LITIGATION                       Case No. 17-md-2804

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10                   Pharma, L.P., et al.

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18                   Case No. 18-OP-45090

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19                   VOLUME II

20                   Videotaped Deposition of Joseph Rannazzisi  
21                   Washington, D.C.

22                   May 15, 2019

23                   8:43 a.m.

24                   Reported by: Bonnie L. Russo

25                   Job No. 3301884

1       hey, don't blame us, the DEA didn't -- it's the  
2       DEA responsibility to design and operate the  
3       system. Would that be true?

4                    MR. EPPICH: Objection.

5                    MS. MAINIGI: Form.

6                    THE WITNESS: No, that is just  
7       incorrect. It is very specific. The  
8       regulation is specific.

9                    BY MR. LANIER:

10          Q.       Well, what if they say, oh, but the  
11       DEA told us it is okay to do it this way?

12          MR. EPPICH: Objection. Form.

13          THE WITNESS: No. The DEA would not  
14       tell them to do something outside of the  
15       regulation.

16                    BY MR. LANIER:

17          Q.       And did you specifically warn them  
18       of this, that the DEA does not approve or  
19       otherwise endorse any specific system for  
20       reporting suspicious orders?

21          MS. MAINIGI: Objection.

22          THE WITNESS: Yes.

23                    BY MR. LANIER:

24          Q.       All right. So much of this is the  
25       same as the 2006 letter. I am just going to